

MANCHUS DECIDE TO FIGHT TO END; REPUBLICANS SPLIT

Empress Dowager at Last Throws Down the Gauntlet to Foes.

DISSENSION APPEARS IN SOUTHERN PARTY

Sun Yat-Sen's Followers Incensed Against Him and Dr. Wu Ting-fang.

CHANG-HSUN IS DEFIANT

Imperialist General Says He Will Never Submit to "Half Baked Students of Nanking."

[SPECIAL DESPATCH TO THE HERALD VIA COMMERCIAL CABLE COMPANY'S SYSTEM.]

HERALD BUREAU, LIAISON QUARTERS, PEKING, Monday.

The Empress Dowager has decided against abdication. She gave an audience to the Cabinet to-day and had a long council with the imperial clan. Princes Ching and Pu-Lun, the leading advocates of abdication, were absent. Prince Kung and others again protested, contending that there was no reason for the Throne to go further than it has done in agreeing to leave the fate of the dynasty to a properly constituted national convention.

The Dowager Empress finally decreed that there should be no abdication, as war to the death is preferable and more befitting the dignity of the dynasty. War preparations were accordingly actively resumed.

The recalcitrance of the Nanking republicans is responsible for this change. Until the receipt of Sun Yat-sen's ultimatum repudiating his previous agreement the imperial clan leaders favored abdication. The way was all prepared, but Nanking's apparent bad faith gave to the opponents of abdication their strongest argument.

The attitude of General Chang-Hsun, commander of the imperial army north of Nanking, is another factor. Chang-Hsun asserts the crown alliance only to the Throne. He has 18,000 well disciplined troops and says he can increase this force to 100,000, and will never take orders from the half baked students of the alleged Republic at Nanking, but if the Throne abdicates he will run his own show.

Yuan Shih-kai's intentions are now the greatest problem. He manifests no disposition to take the aggressive and seems ill. He says he does not desire to kill Chinese, his whole efforts being bent in favor of peace. Yuan complains that the imperial military position is much weaker than when he permitted certain diplomatists—meaning the British—to persuade him to agree to an armistice under a promise of financial support, which has not come.

It is feared he may make good his threat to resign the Premiership. If he does the Manchus will be in a serious plight. The northern armies generally are loyal to Yuan, but it is questionable whether they will fight under any other leadership.

REPUBLICANS SPLIT; SUN YAT-SEN ACCUSED

Wu Ting-fang Gives Up Post as Delegate to Peace Conference Because of Attacks.

[SPECIAL DESPATCH TO THE HERALD VIA COMMERCIAL CABLE COMPANY'S SYSTEM.]

NANKING, Monday.—The recent extension of the armistice so conflicted with the desires of the republican army that certain sections are making violent protests against Sun Yat-sen and Wu Ting-fang, charging them with playing into the hands of the Manchus and demanding explanations.

Wu Ting-fang responded to-day by sending in his resignation as delegate to the peace conference at Shanghai. Sun Yat-sen is hard pressed to pacify the recalcitrants, as many of the National Assembly delegates are demanding the election of his two Japanese legislative advisers, and others are vigorously opposing his proposal to give Yuan Shih-kai the Presidency.

There is every prospect that internal disagreements will seriously injure the republican cause. There is no open split yet, but it is threatened. Sun Yat-sen is apparently endeavoring to bring matters to a crisis by demanding that Yuan Shih-kai at once formally appoint a peace delegate to replace Tang Shao-yi or cease his semi-official negotiations with the dismissed envoy.

AMERICAN TROOPS REACH TIEN-TSIN

TIEN-TSIN, Monday.—Three hundred men, forming part of the battalion of the

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Fifteenth United States Infantry which arrived at Chin Wang-tao on board the transport Logan from Manila on January 19, have arrived here. They have taken up their quarters in the warehouse of the American Trading Company.

The American troops were welcomed at the railway station by the British and American colonies. The Inniskillin fusiliers' band accompanied them to the improvised barracks.

SAYS YUAN SHIH-KAI BROKE HIS PROMISE

NANKING, Monday.—Accusing Yuan Shih-kai of breaking his agreement regarding abdication and the establishment of a republican government, Sun Yat-sen, President of the provisional republic, said to-day that he was certain his cause would triumph.

"Evidently," said Dr. Sun, "as Yuan Shih-kai was determined to establish his own government at Peking and was being assured of the support of outside influences, he intended to ignore the republican government and break the agreement to which he had assented."

"The provincial governors, the National Assembly at Nanking and the military leaders absolutely refused. Hence our changed demand that Yuan must surrender the sovereign powers of the throne and that the foreign Powers must recognize the republican government before Yuan can be elected President of the republic."

"Similar terms will never again be offered to the Manchus. The republican movement is now represented by fifteen provinces. Three hundred and fifty million people in China are heart and soul with the republic and are implacably opposed to Manchu rule. The three remaining provinces, Ho-Nan, Shan-tung and Chi-li, are certainly our adherents. The Chinese troops in the imperial army who are now supposed to be loyal to Yuan are really republicans and will join us at the proper time."

"We control all the treaty ports except Tien-tsin and Nu-chwang, which are ice-bound. The republic is protecting the vast majority of foreigners and foreign property."

REPORTS MILLIONS OF CHINESE STARVING

WASHINGTON, Monday.—An appeal for help, declaring that 3,000,000 Chinese are facing starvation, has been received at the headquarters of the Red Cross Society from Mr. C. D. Jameson, the Red Cross engineer sent to China to devise means for preventing floods.

Mr. Jameson says unprecedented misery and distress resulting from last year's flood and famine have been "incredibly magnified and increased" by the recent rebellion. He says if there ever was a place and time for Americans to relieve suffering "it here and now in China." He adds that the most sorry and tragic period is just beginning and surely will last until the middle of May, when the scanty crops come to maturity.

"They have no seed to plant and no animals to do their ploughing with, and this condition of affairs has gone on for so long that they have lost all desire for work; they simply want to lie down in the mud and die," Mr. Jameson writes. "There were people working on either side of the roadway, coming and going. These were all beggars and all starving. A few years ago the majority of them had been successful farmers, but now they have absolutely nothing. There was not a day that I did not pass two or three bodies of men, women or children lying on the road."

Mr. Wilder, Consul General at Shanghai, has seconded Mr. Jameson's appeal in a letter directed to Miss Mabel T. Boardman, of the American Red Cross, in which he says the situation is far worse than it was last year.

FIND BOYS FROZEN IN ICE.

Great Block Taken from River Contained Bodies of Unidentified Lads.

[SPECIAL DESPATCH TO THE HERALD.]

WASHINGTON, Pa., Monday.—Officials of many counties have joined in the effort to identify two small boys who were found frozen in a great cake of ice brought to the surface of the Monongahela River by a towboat engaged in breaking ice in the channel. One boy was about six years old and the other was eight.

When the bodies were noted in the ice cake grappling hooks were attached and the block taken aboard the towboat.

Although a careful investigation has been made all along both sides of the Monongahela River no trace can be found of missing boys who answer the description.

Wealthy Architect and Chauffeur Arrested as Men Who Fled After Automobile Killed "Buster" Fay

Simeon B. Eisendrath, Owner, Admits Hitting "Something," but Didn't Know It Was Boy.

ASSERTS HE HAD NOT LEARNED OF DEATH

Frederick Heyl, Driver of Car, Is Held Without Bail on Charge of Homicide.

EMPLOYER FREED ON BOND

Number on Automobile Led to Arrest—Car Had Been Damaged by Accident.

Charged with responsibility for the death of Patrick Fay, ten years old, who was killed by an automobile in front of his home, No. 12 West End avenue, late Friday afternoon, Simeon B. Eisendrath, a wealthy architect, of No. 230 West Ninety-seventh street, and Frederick Heyl, a chauffeur, of No. 1,679 Lexington avenue, who was temporarily in his employ, were arrested last night by Detectives Sharpe and McCormick, of the Detective Bureau branch attached to the West Sixty-eighth street police station.

Mr. Eisendrath and Heyl admitted to the police, the latter said, that they passed the corner of Fifty-ninth street and West End avenue at the exact time young Fay was killed. They also admitted that they struck something at that point with sufficient force to shatter one of the lamps on the car, but denied that they knew it was a boy.

After both men had been locked up in the West Sixty-eighth street station, Heyl on a charge of homicide and Mr. Eisendrath on a charge of being an accessory, Coroner Hallenstein visited the station and decided to release the architect on bail. He fixed the bond at \$5,000. Several friends of Mr. Eisendrath offered themselves as bondsmen, but none was satisfactory to the Coroner. Richard Freund, of No. 230 West Ninety-seventh street, and George H. Schuman, of No. 1,070 Madison avenue, finally qualified, and Mr. Eisendrath was released. The Coroner refused to accept bail for Heyl.

Thought They Had Hit Bottle.

"When we struck some obstacle that afternoon," said Mr. Eisendrath, when the police first placed him under arrest, "I heard the breaking of glass and so did Heyl, but we thought we had struck a bottle. We were going less than ten miles an hour at the time, and I am sure that no one called after us. If we had heard anybody we would certainly have stopped. I had read nothing in the papers about the death of the Fay boy, and the first I knew of it was when the detectives arrested me to-night."

Eye witnesses of the tragedy have told the police that when the car which killed the Fay boy struck him it was going thirty miles an hour; that the body of the



SIMEON B. EISENDRATH

boy was carried for a block on the hood of the motor and that the chauffeur kept zigzagging his car from one side of the street to the other until the body fell to the road.

Tommy Lawrence, one of the dead boy's companions, gave the police the first clew to the car. He said that he chased it a half a block and thought the number was 49,630. The car bearing this registration number proved to belong to a resident of Great Neck, L. I., who easily proved an alibi. Then Thomas Barrett, a driver for Bloomingdale Brothers, told the police that he witnessed the accident and thought the number on the car was 49,900. This clew led to a wealthy Spaniard, who said that he had sold his car September 7 through a broker. When the broker was consulted he said the car had been sold to Mr. Eisendrath.

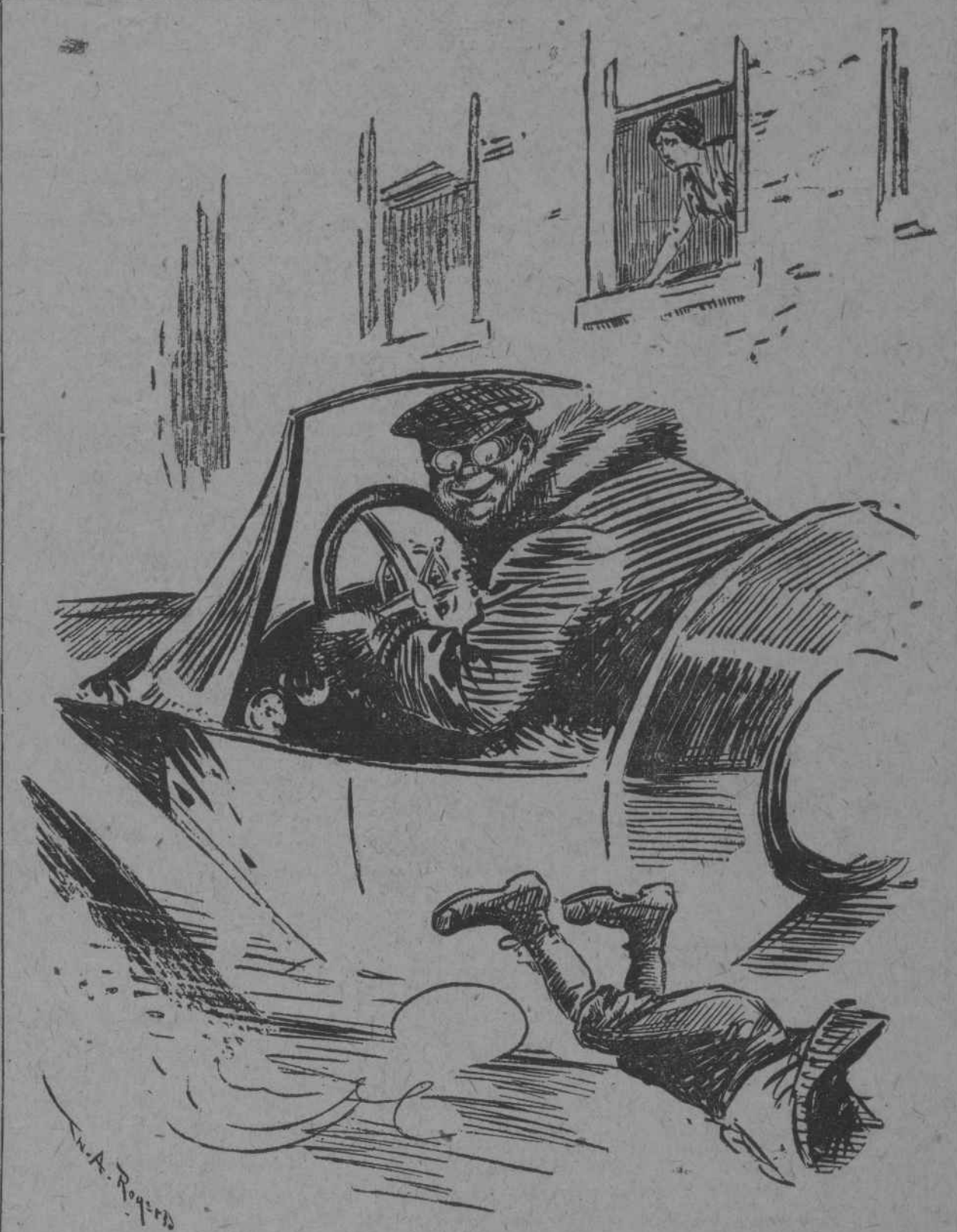
The detectives found Mr. Eisendrath at his offices, No. 500 Fifth avenue. While he admitted that he had passed the spot where young Fay was killed Friday afternoon, he protested that he was certain it was not his car that struck the boy.

"It would be impossible to hit a grown boy hard enough to kill him without knowing it," said Mr. Eisendrath. "Even if I overlooked it, the chauffeur would not."

Had Dismissed Chauffeur.

Mr. Eisendrath then told the detectives that the car was driven Friday by Heyl, chauffeur for Dr. R. Blum, who also lives at No. 230 West Ninety-seventh street. Dr. Blum's automobile is in the repair shop, he said, and he had made an arrangement with Blum by which Blum could use his car at certain times of the day in return for the services of Heyl.

When Dr. Blum was consulted he said



MAYBE THIS WASN'T FUNNY.

he had dismissed Heyl Saturday night because the man's services were generally unsatisfactory. He gave the man's address, but when the detectives reached the house they were informed that he had just received a telephone message telling him the police were after him and had left. The detectives went to the East 104th street station to find out an alarm for Heyl, but they had not been there five minutes before the man walked in and surrendered.

Both prisoners were then taken to the West Sixty-eighth street station, where Heyl was charged with homicide and Mr. Eisendrath with being an accessory, under the fact and with concealing a felony. Heyl showed no disposition to talk when he reached the station house, but Mr. Eisendrath spoke freely.

"I cannot understand the thing," he said. "When we heard the glass break we felt no far at all. We continued up West End avenue to Sixty-seventh street, where we stopped at Holbrook's automobile supply place. It was there that I had arranged to meet Dr. Blum. While we were waiting I made an examination of the car and found that the lamp on the left side had been shattered. We then took the car to the Royal garage, at No. 211 West Ninety-fifth street, and put it up."

"I have been very busy since then, which accounts for my not having seen anything in the papers about the killing of the Fay boy. Had I seen it, however, I would never have connected my car with the occurrence."

PLACING BLAME FOR RECKLESS DRIVING

Responsibility for the reckless driving of automobiles in this city and, for the resultant increase in the number of fatal accidents is due, the police say, to a false construction place on the Callan Motor Vehicle law, not only by owners and operators of motor cars, but also by many of the city magistrats.

With the passage of the Callan law in 1910 and its amendment last year, a popular impression was given that it took the place of all existing local ordinances on the subject. Many chauffeurs and owners took immediate advantage of this to drive their cars at such speed as they chose, with the result that taxicabs going thirty miles an hour in the daytime and attaining even greater speed at night, without police interference, have become a common spectacle.

As a matter of fact, it is asserted by the best authorities the Callan law does not supersede any local ordinance in a city of the first class, and the police are recreant to their duty every time they fail to arrest a driver who is going more than eight miles an hour in the congested part of the city or more than fifteen miles an hour in the less built up sections.

It is also asserted that every time a police magistrate fails to punish a man who is convicted of speeding he not only fails to carry out the duty imposed upon him by law but also encourages the violation of the ordinance regulating speed.

Popular indignation over the reckless manner in which automobiles are handled in this city, especially in the Borough of

Manhattan, came to a head with the killing of young Patrick Fay. This accident has resulted in a closer scrutiny of the Callan law, section No. 288 of which says:—

"Nothing in this article contained shall impair the validity or effect of any ordinance, regulating the speed of motor vehicles, or of any traffic regulations with regard to the operation of motor vehicles, heretofore or hereafter made, adopted or prescribed, pursuant to law, in any city of the first class."

An ordinance, passed in November, 1906, fixes the speed limit at eight miles an hour in the congested part of the city and at fifteen miles an hour in the less built up portions.

It is conceded by those who are making a fight against present conditions that a more liberal ordinance than the one passed in 1906 should be passed now. Many are in favor of fixing the maximum speed at fifteen miles an hour in the congested sections and at twenty miles in the outlying territory.

A defect of the Callan law, which

STEALS RIDE IN LOCOMOTIVE TANK

Young Man Is Nearly Frozen When Fast Train Reaches Manhattan Transfer.

William Barrow, twenty years old, who says he lives at No. 181 North Eighth street, Williamsburg, is a prisoner in the jail at Harrison, N. J., and unless he is taken to a hospital before then, will be arraigned in court this morning for stealing a ride in the tank of a locomotive. His legs are all but frozen, his voice is so husky that he is scarcely able to speak and his face and head are covered with cuts and bruises.

Young Barrow was hauled out of water in which he was standing waist deep in the tank at the rear of the tender of the locomotive drawing the Pennsylvania train that makes the trip from Chicago to New York in eighteen hours, as it stopped late yesterday at the Manhattan Transfer station at Harrison. He had been there from the time the train left Philadelphia, nearly two hours earlier.

According to the young man's story he has been making his way home from Florida by difficult stages for the last week and a half. He had worked as a laborer, he said, on the "over the sea" extension of the Florida East Coast Railway to Key West. Work on that extension was completed two weeks ago. Pressed for money, when he determined to come North, Mr. Barrow declared, he rode on many parts of railroad cars, locomotives and tenders, and was twice arrested, once in Georgia and again in North Carolina, for stealing rides.

Various freight trains and an occasional ride on a passenger train landed him in Philadelphia yesterday in time to learn of the departure for New York of the fast Pennsylvania train. He crept up over

many believe should be corrected at the present session of the Legislature, is that while it requires chauffeurs to have licenses it permits owners of automobiles to drive their cars without taking out licenses.

Police Commissioner Waldo yesterday refused to comment on the situation beyond stating that he believed there would be less reckless driving if the courts would be more severe in the penalties they inflict on those arrested and found guilty.

Between June 8 and December 31, 1911, there were more than 3,700 automobile drivers arrested in this city for various offenses. Of these more than 2,000 were arrested for speeding or reckless driving. More than 3,500 were convicted, but the penalties inflicted were mild. Many received no punishment. Because of the many cases where no punishment was inflicted the police have ceased to make arrests, save in flagrant cases.

The principal opponents of any kind of local legislation at all on the subject of speed limits are the taxicab companies.

the tender, opened the cover to the water tank and let himself down into the water. The train, making almost a mile a minute, had been going only about five minutes when young Barrow found he needed air. He raised himself, pushed his body half out of the tank and hung there.

As the train flew by intermediate stations pedestrians and men in the signal towers saw the man clinging at the rear of the tender. Word was telegraphed ahead from tower to tower, but a stow-away was not considered important enough to bring the train to a stop. When the train finally reached Manhattan Transfer, a regular stopping point, policemen were on hand and young Barrow was hauled out of the tank. He was so cold he had to be carried to the police station.

NOTED SAVANT'S SON WEDS CASHIER

Walter W. Lounsbury Announces Secret Marriage in November—Father Is Yale Professor.

[SPECIAL DESPATCH TO THE HERALD.]

NEW HAVEN, Conn., Monday.—Surprise was expressed on all sides here to-day when Walter W. Lounsbury, son of Professor Thomas R. Lounsbury, Yale's noted English scholar, announced that last November, in Camden, N. J., he had secretly married Miss Esther L. Jewell, who until that time had been employed as a cashier in a market here. She is the daughter of Oscar P. Jewell, a foreman in Holcomb's garage.

The young couple had known each other for several years but their friends had never looked upon their acquaintance as more than a passing friendship. Mr. Lounsbury was graduated from Yale in 1894, and is a clerk in the railroad offices here. He and his bride have taken an apartment in the Warner apartment building opposite Vanderbilt Hall.

Professor Lounsbury, father of the bridegroom, beside editing many well known modern works, is the author of "A History of the English Language," "Studies in Chaucer," "Life of James Fenimore Cooper" and many other widely known volumes.

BIG STEEL PROFITS BARED; NEW BILL MAKES DEEP CUTS

Corporation's Commissioner Shows \$9.20 a Ton Gain on Rails by "Trust."

MR. FARRELL FIGHTS TO SAVE COST SHEETS

Protests That Foreign Trade Will Be Ruined if Secrets Go on Stanley Records.

PAVES WAY FOR IMPORTS

Mr. Underwood Predicts \$20,000,000 Increase Through Lowered Duties and Extension of the Free List.

HERBERT KNOX SMITH, Commissioner of Corporations, in a preliminary report to President Taft on the United States Steel Corporation's cost of production, declares its profits are unreasonably high. He reports that the corporation makes a profit of \$9.20 a ton on steel rails. The cost of production, he reports, is \$4.13 a ton less than that of the smaller independent companies. "Almost simultaneously with Mr. Smith's report, James A. Farrell, president of the United States Steel Corporation, protested before the Stanley committee that to make the cost sheets and books of the corporation a part of the Stanley committee's records would ruin the Steel Corporation's foreign business. It was finally agreed that no figures would be made public except by formal vote of the full committee. Representative Underwood, chairman of the House Ways and Means Committee, made public his new steel tariff bill, showing reductions of from thirty to fifty per cent from the Payne tariff. He estimates that the reductions will result in a \$20,000,000 annual increase in steel imports and will involve a loss of revenue of more than \$800,000 a year.

SHOWS \$9.20 A TON STEEL RAIL PROFIT

Corporation Commissioner Reveals Detailed Cost of "Trust" Production.

HERALD BUREAU, No. 1,602 H STREET, N. W., WASHINGTON, D. C., Monday.

Secrets of the United States Steel Corporation, including the costs of production, were given to the public to-day through a preliminary report submitted to the President by Herbert Knox Smith, Commissioner of Corporations. From hundreds of volumes of accounts and records of the Steel Corporation and its subsidiaries the government experts have obtained a mass of amazing data which throws light upon the inner workings of the Steel Corporation.

Just before the report was released for publication in the newspapers, James A. Farrell, president of the Steel Corporation, who had been called as a witness before the Stanley Steel Investigating Committee, informed Representative Stanley that the publication of such information as is contained in Commissioner Smith's report would destroy the Steel Corporation's foreign business. Facts and figures submitted by Commissioner Smith are based upon data taken from the records of the Steel Corporation. Relations existing between the Steel Corporation and its many subsidiaries made it difficult for the expert accountants of the Bureau of Corporations to unravel the complicated and puzzling system of book-keeping employed by the various companies. It is believed here that the report of Mr. Smith will have an important bearing on the resolution introduced in the House of Representatives by the democrats for the revision of the steel schedule in the Payne-Adams tariff law.

Costs Difficult to Trace. "Many of these companies," said Mr. Smith in his report to President Taft, "were highly 'integrated,' that is, they linked up under one control through various subsidiaries, or mines, blast-furnaces, steel works, &c. Their 'cost sheets,' however, did not correspond with this integration. The costs of each subsidiary were shown as though it were independent, and included profits paid to other subsidiaries. To illustrate, one subsidiary of a combination, operating blast-furnaces, would pay to another subsidiary which mined ore a price for ore that included a profit to the ore company. This price, however, would be entered by the furnace company as a part of its costs. That is, they were 'book costs,' and they included considerable profits really received by the same interests."

Mr. Smith then endeavors to point out the importance of these intermediate profits. As an illustration, he shows that the average "book cost" of Bessemer pig iron over the five year period from 1902 to 1906 was \$13.89 per ton. He then states that the "transfer profits" were \$1.79, leaving a net cost of \$12.10 a ton.

"The United States Steel Corporation has also large intercompany profits on transportation, chiefly in carrying its ore on its own railroads," Mr. Smith adds. "Moreover, the important ore railroads of the Steel Corporation were obtained, not through superior ability, efficiency or foresight, but simply through superior com-



HERBERT KNOX SMITH, COMMISSIONER OF CORPORATIONS.